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8 **THE UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 **FRESNO**

11 **UNITED STATES OF AMERICA,**) **Case No. 1:05-CV-00594- OWW-SMS**
12 Plaintiff,) **STIPULATION RE: DEFENDANT'S**
13 v.) **MOTION TO DISMISS AND**
14 **STEVEN HEMPFLING,**) **CONTINUANCE THEREOF**
15 Defendant.)
16 _____)

17 Counsel for the defendant and Counsel for the government have entered into the
18 following stipulation – To Wit:

19 It is hereby stipulated by the parties that the hearing date set for August 15, 2004 at 10:00
20 a.m. to entertain defendant's motion to dismiss or in the alternative for summary judgment,
21 before the Honorable Oliver W. Wanger be vacated and rescheduled for September 12, 2005 at
22 10:00 a.m. before the Honorable Oliver W. Wanger.

1 I, William McPike declare under penalty of perjury that I entered into this stipulation with
2 Robert Metcalfe, by and through Evan Davis, attorneys for the United States in this matter and
3 they have agreed to the above stipulation. (See attached email)

4 Dated: _____

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6 Respectfully Submitted,

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8 /s/William McPike, Attorney for Defendant

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10 SO ORDERED:

11 Dated: August 10, 2005

12 /s/ OLIVER W. WANGER
13 OLIVER W. WANGER
14 United States District Judge
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